

Docket No.: 2091-0229P  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Satoshi SETO

Application No.: 09/760,795

Confirmation No.: 4941

Filed: January 17, 2001

Art Unit: 2157

For: IMAGE EDITING METHOD AND SYSTEM

Examiner: H. A. El Chanti

**PETITION TO RESET THE PERIOD FOR RESPONSE**

MS Technology Center  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Examiner's Answer dated April 4, 2008 was never received by the offices of the undersigned, and a review of the file jacket for the present application and the firm docketing records confirms that the Examiner's Answer was never received. The offices of the undersigned did not become aware of the Examiner's Answer until a review of PAIR, which was after the deadline of June 4, 2008, alerted Applicant to the purported mailing of the Examiner's Answer.

**EVIDENCE**

The Examiner's Answer dated April 4, 2008 was never received in the offices of Birch, Stewart, Kolasch & Birch, LLP. If the Examiner's Answer was properly received in April, 2008, entries would have been made in this office's docket for the filing of a Reply Brief and a Request for Oral Hearing, both of which having a deadline of June 4, 2008. It is understood that the USPTO can review the attached records for verification, and therefore see that the Examiner's Answer dated April 4, 2008, was never received by Birch, Stewart, Kolasch & Birch, LLP.

Upon discussion of this matter with Ms. Smith of the Board of Patent Appeals and Interferences, it was suggested to submit a petition explaining the USPTO error so that the time period can be reset. A copy of the undersigned's Docket including the serial numbers for all matters due June 4, 2008 from the Docketing Department is attached hereto. As can be seen from the attached, there are no entries in this office's Docket for the above application.

**SUMMARY**

It is noted that the Examiner's Answer dated April 4, 2008 was never received in the offices of Birch, Stewart, Kolasch & Birch, LLP. The present Petition is timely filed for this purpose.

Since the above-mentioned Examiner's Answer was never received in the offices of the undersigned, it is believed that no petition fee is necessary in connection with this Petition.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinnet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: July 31, 2008

Respectfully submitted,

By 

Marc S. Weiner

Registration No.: 32,181

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

ATTY.

msw/cmv

Rem

Conf No 4941

PATENT NO. \_\_\_\_\_

ISSUED \_\_\_\_\_

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**

MONTHLY BILLED CLIENT

NO

CLIENT COPIES

2

SMALL  
ENTITY

(FILED)

SUPPLEMENTAL VOLUME(S) \_\_\_\_\_

INVENTOR

Satoshi Seto

TITLE

Image Editing Method

APPLICATION NO.

09/760795

FILED

January 17, 2001

PRIORITY CLAIMED

JUN 1 2001

RECLAIMED

DRWGS. NO. OF SHEETS

12(A4)

FOREIGN CASES

Japan

2000/007272

1-17-00

Japan

2000/007273

1-17-00

Japan

2000/027905

2-4-00

Japan

2000/399715

12-28-00

Japan

2000/399716

12-28-00

PTO ACTIONS

CALL-UP

RESPONSES

OA 12/15/04

Amend 3/15/05

Status Inquiry 11/26/02

STATUS INQUIRY JUN. 10 2003

4/15/05 (X)

ext 3/15/05

5/15/05 (XX)

ext 4/15/05

6/15/05 (XX)

ext 5/15/05

OA 1/7/2005

Final/NSA

Pre-Appel 12/7/2004

amend. 6/15/05 cmv

1-7-06 (X)

ext 12/7/05

NOA/PAB (XX)

amend. 1/9/06 cmv

2-7-06 (XX)

ACE 3/6/06 cmv

OA 4/18/06

NOA/PAB 3/9/06

A

Final/NSA 11/15/06

Ext 3/19/06 (X)

A

Ext 9/18/06

A

Reel Adv. 10/4/06

Am NOS/PAB 10/18/06 (XX)

Final/NSA 9/18/06 cmv

App. for Reel Adv.

Final/NSA 10/18/06 cmv

Extend

ASSIGNMENT

See inside

PARENT/OFFSPRING

DOCKET NO. 0041-0041

CLIENT

THEIR REF. PAUAGOUS

ASSIGNEE RE

IN PTO

January 17, 2001

Photo Film Co., Ltd.

## IDS CHECKLIST

**2-MONTH CALL-UP PERFORMED:**

- ☐ Letter Sent to Client  
☐ Letter Not Necessary

Date: \_\_\_\_\_

**PCT NATIONAL PHASE APPLICATION ONLY**

- ☐ References Requested from Client in New Application Reporting Letter

DATE IDS FILED	1449 RECEIVED FROM EXAMINER	
	All References Initialed	Some References Not Initialed/Remarks
7/15/08		

## ADDITIONAL PTO HISTORY

PTO ACTIONS	CALL-UP	RESPONSES
Non-Compliant Ap. Brief	Ap. Brief. 11/17/07	Filed 4/18/07 cmv
Non-Compliant Appeal Brief	8-18-07	Filed Non-Compliant Ap Brief 8/20/07
	12-27-07	Filed Appeal Brief 12/21/07

## NOTES

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04-Jun-2008 To 04-Jun-2008

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
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10/501,502

04-Jun-2008  
Due Date

10/501,502

04-Jun-2008  
Due Date

11/325,439

04-Jun-2008  
Due Date

10/423,533

04-Jun-2008  
Due Date

12/073,323

04-Jun-2008  
Due Date

09/644,902

04-Jun-2008  
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Due Date				09/644,902		

04-Jun-2008  
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10/521,569

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04-Jun-2008  
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10/521,569

04-Jun-2008  
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12/041,867

04-Jun-2008  
Due Date

12/041,861

04-Jun-2008  
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98952227.1

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Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
04-Jun-2008	Due Date			29/287,963		

04-Jun-2008  
Due Date

11/988,834

04-Jun-2008  
Final

10/550,544

04-Jun-2008  
Due Date

10/570,878

04-Jun-2008  
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10/570,878

04-Jun-2008  
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10/570,878

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04-Jun-2008 To 04-Jun-2008

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04-Jun-2008				10/430,427		
Due Date						

09/586,601

04-Jun-2008  
Due Date

11/806,999

04-Jun-2008  
Final

29/304,567

04-Jun-2008  
Due Date

11/438,307

04-Jun-2008  
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11/438,307

04-Jun-2008  
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11/438,307

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04-Jun-2008				12/042,180		
Due Date						

04-Jun-2008

Final

030221840

04-Jun-2008

Due Date

11/406,236

04-Jun-2008

Due Date

11/406,236

04-Jun-2008

Due Date

10/175,087

04-Jun-2008

Due Date

11/066,436

04-Jun-2008

Due Date

09/892,228

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Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
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200510078309.3

04-Jun-2008

Final

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Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
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04-Jun-2008	Due Date			12/073,322		
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04-Jun-2008	Due Date			11/502,483		
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04-Jun-2008	Due Date			10/947,248		
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04-Jun-2008	Due Date			10/947,248		
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04-Jun-2008	Due Date			11/991,404		
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04-Jun-2008	Due Date			11/991,404		
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04-Jun-2008	Due Date			11/991,420		
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Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
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11/991,420

04-Jun-2008

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11/991,405

04-Jun-2008

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11/991,405

04-Jun-2008

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11/991,416

04-Jun-2008

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11/991,416

04-Jun-2008

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11/991,419

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11/991,419

04-Jun-2008

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04-Jun-2008				11/991,387		
Due Date						
04-Jun-2008				11/991,387		
Due Date						
04-Jun-2008				11/111,845		
Final						
04-Jun-2008				11/991,426		
Due Date						
04-Jun-2008				11/722,799		
Due Date						
04-Jun-2008				11/600,739		
Due Date						
04-Jun-2008				11/597,058		
Due Date						

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04-Jun-2008 11/993,851

Due Date

04-Jun-2008 10-550704

Final

04-Jun-2008 147446

Final

04-Jun-2008 11/993,852

Due Date

04-Jun-2008 11/989,962

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04-Jun-2008 11/989,962

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04-Jun-2008 11/988,303

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12/068,246

04-Jun-2008

Due Date

04-Jun-2008

Final

80530/91

632028

04-Jun-2008

Final

2,065,276

2,065,276

04-Jun-2008

Final

2,493,889

04-Jun-2008

Final

2,469,775

04-Jun-2008

Final

200430060354.2

200430060354.2

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				ZL200430060353.8		

04-Jun-2008 Final				11/806,999		
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04-Jun-2008 Due Date				PCT/US06/44903		
				06838068.2-2318		

04-Jun-2008 Final				29/290,432		
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04-Jun-2008 Final				03022184.0		
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04-Jun-2008 Due Date				11/819,463		
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60/888,257

04-Jun-2008

Final

04-Jun-2008

Due Date

11/991,434

04-Jun-2008

Final

10/540,474

04-Jun-2008

Final

11/378,315

04-Jun-2008

Due Date

10/577,531

04-Jun-2008

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12/042,242

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11/632,170

04-Jun-2008

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04-Jun-2008

Due Date

12/004,101

04-Jun-2008

Final

10/509,024

04-Jun-2008

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10/509,024

04-Jun-2008

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PCTAUS6437397

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Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
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04-Jun-2008				10/493,537		
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04-Jun-2008  
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10/451,733

04-Jun-2008  
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10/494,639

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10/494,639

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10/494,639

04-Jun-2008  
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10/931,033

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Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
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04-Jun-2008 10/479,755

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04-Jun-2008 10/479,755

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04-Jun-2008 10/479,755

04-Jun-2008

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04-Jun-2008 To 04-Jun-2008

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
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04-Jun-2008 Final				29/290,432		
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04-Jun-2008 Due Date				10/753,498		
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04-Jun-2008 Due Date				12/076,340		
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04-Jun-2008 Due Date				12/042,061		
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04-Jun-2008 Due Date				09/986,476		
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04-Jun-2008 Due Date				11/375,133		
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Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
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11/040,607

04-Jun-2008

Due Date

04-Jun-2008

Due Date

10/981,798

04-Jun-2008

Due Date

09/635,850

04-Jun-2008

Due Date

09/592,148

60/941,887

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04-Jun-2008 To 04-Jun-2008

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
04-Jun-2008				11/334,425		
Due Date						

04-Jun-2008  
Due Date

11/185,851

04-Jun-2008  
Due Date

11/185,851

04-Jun-2008  
Due Date

12/042,148

04-Jun-2008  
Final

10/684,448

04-Jun-2008  
Due Date

10/992,673

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Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
04-Jun-2008 Due Date				11/153,429		
04-Jun-2008 Due Date				10/874,581		
04-Jun-2008 Due Date				10/874,581		
04-Jun-2008 Due Date				10/874,581		
04-Jun-2008 Due Date				11/417,047		
04-Jun-2008 Due Date				11/417,047		
04-Jun-2008 Due Date				11/793,718		

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Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
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11/511,483

04-Jun-2008

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04-Jun-2008

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11/511,483

04-Jun-2008

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11/511,483

04-Jun-2008

Due Date

10/917,386

04-Jun-2008

Due Date

11/535,285

04-Jun-2008

Due Date

10/497,601

04-Jun-2008

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10/497,601

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Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
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04-Jun-2008	PERFORM TM WATCH					
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Due Date

04-Jun-2008

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04-Jun-2008

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11/226,408

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Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
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10/265,636

Due Date

10/265,636

04-Jun-2008

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10/265,636

04-Jun-2008

Due Date

10/539,310

04-Jun-2008

Due Date

10/539,310

04-Jun-2008

Due Date

11/269,691

04-Jun-2008

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04-Jun-2008 Due Date				11/643,656		
04-Jun-2008 Due Date				11/337,596		
04-Jun-2008 Due Date				12/041,780		
04-Jun-2008 Due Date				12/041,921		
04-Jun-2008 Due Date				12/041,773		
04-Jun-2008 Due Date				12/041,935		
04-Jun-2008 Due Date				12/041,914		
04-Jun-2008 Due Date				12/041,823		

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11/658,891

04-Jun-2008

Due Date

04-Jun-2008

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11/658,891

04-Jun-2008

Due Date

11/250,541

04-Jun-2008

Due Date

10/986,221

04-Jun-2008

Due Date

10/986,221

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10/986,221

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10/899,089

04-Jun-2008

Due Date

04-Jun-2008

Due Date

12/068,420

04-Jun-2008

Due Date

12/042,193

04-Jun-2008

Due Date

11/594,130

04-Jun-2008

Due Date

12/044,635

04-Jun-2008

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10/594,004

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10/879,087

10/879,087

12/073,321

PA/a/2005/007258

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564084

29/300,242

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29/300,241

11/520,584

10/555,014

11/405,608

11/415,120

11/300,336

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04-Jun-2008

12/073,059

Due Date

04-Jun-2008

12/073,062

Due Date

04-Jun-2008

11/932,905

Due Date

04-Jun-2008

12/068,556

Due Date

04-Jun-2008

12/078,766

Due Date

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
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04-Jun-2008

Due Date

11/990,443

04-Jun-2008

Due Date

12/071,477

04-Jun-2008

Final

11/029,701

04-Jun-2008

Due Date

11/664,873

04-Jun-2008

Due Date

11/990,912

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04-Jun-2008

10/551,700

Due Date

04-Jun-2008

10/221,221

Final

04-Jun-2008

10/650,984

Due Date

04-Jun-2008

10/650,984

Due Date

04-Jun-2008

10/388,500

Due Date

04-Jun-2008

10/438,825

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04-Jun-2008				10/438,825		
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04-Jun-2008				10/438,825		
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04-Jun-2008				09/648,111		
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04-Jun-2008				10/240,779		
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04-Jun-2008				09/424,078		
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Floor: 4th

04-Jun-2008 To 04-Jun-2008

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
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04-Jun-2008				11/204,164		
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Due Date

04-Jun-2008				11/363,371		
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Due Date

04-Jun-2008				12/068,095		
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Due Date

04-Jun-2008				11/711,660		
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Due Date

04-Jun-2008				11/246,086		
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Due Date

04-Jun-2008				11/246,086		
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Due Date

Tuesday, June 03, 2008

Due Date List By Floor

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Floor: 4th

04-Jun-2008 To 04-Jun-2008

Due Date Indicator	Action Due Action Type	Docket Number/SubCase Country	Status Client	App Number Pat Number	App Date Iss Date	Other Attys
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04-Jun-2008  
Due Date

10/629,756